

## **Remarks**

### **Claim Rejections 35 USC § 112**

Claim 1 has been amended to refer to “executing the computer software code” thus using the antecedent basis already present in claim 1.

The word “or” has been removed from claim 17 and claim 34 has been introduced. Claims 17 and 34 cover both alternatives originally covered by the use of the word “or”.

Claims 18 and 19 have been amended to provide further details of the test and forwarding functions respectively. These functions are described on pages 22 to 25 of the application.

### **Claim Rejections 35 USC § 102**

ChaiTime does not disclose the transfer of computer software code between SIP clients, it does not disclose storing computer software code in a SIP message, it does not disclose sending the SIP message and computer software code from a first SIP client associated with a first node to a second SIP client associated with a second node and it does not disclose the execution of computer software code transferred in the manner described above.

Accordingly, ChaiTime fails to disclose all of the features of claim 1 and the rejection of claim 1 under 35 USC § 102 is respectfully traversed.

ChaiTime is concerned with a protocol stack in which an enhanced version of JTAPI (and termed Java core control – JCC) by ChaiTime is used to “provide application

portability across various communication protocols eg. SIP or H323 (page 26 column 2, second paragraph).

SIP is used as an underlying session control protocol (column 2, second full paragraph under Figure 5). "JCC allows difference underlying session initiation and control protocols to be used eg. H323 or SIP" (page 23 column 1, second full paragraph).

ChaiTime is concerned with the activation of code on terminals in order to provide additional functionality. If the functionality does not exist it is downloaded from a third location using conventional means which are not described in ChaiTime. (see column 2, page 22 under the heading "Example scenario: dynamic service download". Thus software code is downloaded independently and is not stored in a SIP message. The Examiner suggests that the sending of a SIP message in computer software code is disclosed at page 25, column 2 which discusses the issue of managing software components. This reference is not understood since this has no relevance to SIP messages or the transmission of SIP messages.

The Examiner refers to Figure 3 of page 25 in connection with storing computer software codes in a SIP message. Figure 3 is not discussed in ChaiTime and appears merely to disclose conventional prior art Internet telephony on the one hand (proposing SIP or H323 as the session initiation protocol) and conventional computer telephony integration using JTAPI on the other hand. This figure merely discloses an entirely conventional application for SIP and there is no disclosure of storing computer software code in a SIP message. The Examiner is asked to clarify this objection and explain where in Figure 3 or any associated description there is a suggestion that computer software code is stored in a SIP message.

Since there is no software code transmitted by SIP in ChaiTime, the computer software code cannot be executed by any node.

The Examiner also refers to Figure 6. This Figure merely discloses three additional messages namely INVITE (media), UNSUPPORTED MEDIA, and INVITE (URL). This is explained for example in the second full paragraph of column 2 of page 30 where it is explained that SIP's features were used "to define specific messages for suspending and resuming a session, for suggesting service providers URLs and for informing a party of the unavailability of a resource". There is no disclosure of including computer software code which may be executed on the second node, in a SIP message.

In connection with claim 2, the Examiner refers to the JAVA telephony API. It is clear from Figure 4 for example that the JAVA code is not added to a SIP message. It is merely used to control the underlying session initiation protocol which as explained above may be SIP or H232 or any equivalent. At the bottom of column 1 of page 27 it is explained that "the state machine for the JTAPI connection object has been extended in order to support media negotiation during call set up". Thus the JTAPI controls SIP, it is not carried in SIP messages. This rejection is respectfully traversed.

In connection with claim 5, it is noted that the JTAPI software is not stored in SIP messages. The Examiner's comments in relation to this claim are not understood.

This rejection is respectfully traversed.

In connection with claim 6, the Examiner has failed to link the JAVA applets mentioned in the portion referred to in any way with SIP. These Java applets are not stored in a SIP message in ChaiTime. This rejection is respectfully traversed.

The Examiner has not raised any argument against claim 7.

In connection with claim 8 there is no discussion in ChaiTime of Java mobile agents. This rejection is respectfully traversed.

In connection with claim 10, since ChaiTime does not disclose the adding of computer software code to a SIP message in any way, it certainly does not disclose the addition of the software code to a SIP message body. This rejection is respectfully traversed.

In connection with claim 11, since ChaiTime does not disclose the addition of computer software code to a SIP message, it cannot disclose the addition of a header. Such an indicator in a header of the SIP message is not therefore implicitly or explicitly disclosed in ChaiTime. This rejection is respectfully traversed.

In connection with claim 13, since there is no indicator or a SIP message containing a computer software code in ChaiTime, the features of claim 13 cannot be shown. This rejection is respectfully traversed.

In connection with claim 14, since there is no computer software code in terms of claim 1 disclosed in ChaiTime, the features of claim 14 cannot be shown. This rejection is respectfully traversed.

Similar comments apply to the remaining dependent claims and these rejections are respectfully traversed.

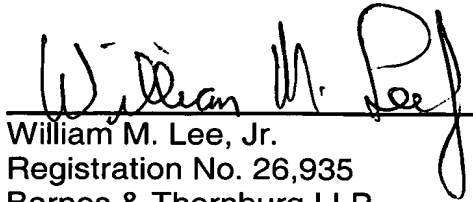
The traversal of the remaining independent claims is also traversed for similar reasons.

In connection with all the dependent claims, it is noted that these claims are not anticipated at least by virtue of their dependency.

Given the above, further and favorable reconsideration of the application is urged.

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Respectfully submitted,

  
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